

Remarks

Claims 1 through 19 are currently pending in the application, and have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. published patent application No. 2002/0049702 (Aizikowitz et al.) in view of a printout from the web site www.think121.com.

With respect to this rejection, the Inventor respectfully submits that the material taken from the think121.com web site is not valid prior art with respect to this application. Please note that the think121.com web site is owned by the Inventor and that the Inventor was the author of the material cited by the Examiner. To be considered valid prior art under § 103, it is necessary that the prior art meets the requirements of at least one of the subsections of § 102.

With respect to § 102(a), the invention was not known or used by others and, although the invention was described in the printed publication (i.e., the web site), the printed publication is not before the invention thereof by the Inventor, if not for any other reason than the Inventor is the author of the printed publication, and, therefore, had to have invented prior to the publication of the material.

With respect to § 102(b), the invention was not patented nor described in a printed publication or in public use in this country more than one year prior to the date of the application for patent in the United States. Note that the effective filing date of the current application is November 29, 2000, as the current application claims priority to U.S. provisional application 60/253,812, which was filed on that date and which is essentially identical to the present application.

With respect to § 102(e), the invention was not described in an application for patent published by another in the United States or on a patent granted on an application for patent by another filed in the United States.

The Inventor has attached a Declaration under § 1.132 verifying that the printout of the material taken from the web site www. think121.com is the work of the Inventor.

Conclusion

The Inventor has shown that the printout of the web site www.think121.com is not valid prior art with respect to this application. Therefore, Claims 1 through 19, which were rejected over a combination of Aizikowitz and the web site printout, claims elements which are not taught by Aizikowitz. As a result, Claims 1 through 19 should be patentable, and the Inventor requests allowance of those claims at the earliest possible time. Should the Examiner have any questions, the Inventor request that the Examiner contact the Inventor's attorney, listed below.

Respectfully submitted,



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